

NO APPEAL IN RAIL CASE

MERGER OF S. P.-C. P. TO STAND

Announcement Is Made By Att'y. Gen. Daugherty

WASHINGTON, Aug. 13.—The government will not appeal from the decision of the United States court at St. Paul, holding that the interstate commerce commission had authority to consent to the Central Pacific-Southern Pacific consolidation.

WASHINGTON, Aug. 13.—Attorney General Daugherty made the announcement that no appeal would be taken after conferences with President Coolidge at which were discussed exhaustively various administration policies involved.

Tomorrow would have been the last day for the government to file an appeal to the supreme court from the decision of the St. Paul federal district court of appeals upholding the I. C. C. ruling giving the Southern Pacific control of the Central Pacific.

Daugherty was on his way to San Francisco to discuss the matter with President Harding, but announced that if the president's illness prevented a conference a decision would be forthcoming within a few days. The president's death delayed immediate action in the matter.

Decision of the department of justice not to appeal the case will be followed by immediate construction of the Natron cut-off, Southern Pacific officials have announced.

TERRY, DIERLAM GIVE BAIL, GET RELEASE

Men Held On Larceny Charges Post \$750 Each; One Pays \$500 Fine Imposed By Court

R. S. Terry and C. C. Dierlam, arrested on larceny charges, are out of jail following the payment of \$750 cash bail by each of them Saturday. Terry, in addition, paid the \$500 fine imposed last week by Justice Emmitt, who found Terry guilty on a charge of transporting liquor.

Axel Eskwall pleaded guilty Saturday to a charge of driving an automobile while intoxicated, and paid a fine of \$50 and costs.

GOVERNMENT MOVES TO AVERT COAL STRIKE

WASHINGTON, Aug. 13.—The government moved today to avert another strike September 1 by inviting representatives of both operators and miners to confer with the coal commission immediately. A telegram conveying the invitation was sent by the coal commission officials after a conference with President Coolidge. For the present at least, the president desires to leave the situation in the commissioners' hands.

38TH TO ESCAPE

SALEM, Aug. 13.—George Clark, a trusty, escaped this morning. He is the 38th to escape under Warden Smith.

Five Trainmen Die In Head-On Crash On Santa Fe Road

PUEBLO, Colo., Aug. 13.—Five trainmen were killed in a head-on collision between a Colorado and Southern passenger train from Pueblo and a Santa Fe through train from the east at Fowler, Colo., early today. The former was derailed over the Santa Fe tracks via La Junta because of washouts at Walsburg on the Colorado and Southern tracks.

GASOLINE WAR IS POPULAR

Price Drops in Several Other States; Pierce Is Promised Support

CHICAGO, Aug. 13.—The gasoline price war started by South Dakota has spread to several middle west states, forcing prices down to a range of 11 cents to 22 1/2 cents at various places.

PORTLAND, Aug. 13.—The State Automotive Trade association today offered to co-operate fully with Governor Pierce if he moved for a gasoline price reduction. The companies said the price here was reasonable, and no reduction was possible.

CALEDONIA MARSH FIRE THREATENS 600 ACRES OF RYE

Flames, Starting From Cigarette on Dike, Spreading From Mint Land To Stevenson Ranch

Fire that started on the Caledonia marsh Saturday, today threatened to destroy 600 acres of rye belonging to the Klamath Mint company, and to spread to the George Stevenson ranch nearby. The fire is said to have started on the dike, apparently from a cigar or cigarette, thrown carelessly away, and to have smoldered for two or three days before breaking out.

The fire was slighted yesterday by the lookout at the ranger station at Mt. Baldy, and within two hours two fire wardens from Klamath Falls were on the scene, thinking it was a forest fire. They remained for a time to help the fire fighters.

CAR, TRAIN CRASH

W. S. Lewis Drives Roadster Into Freight On 6th St. Crossing

W. C. Lewis drove his light roadster into a freight train on the Sixth street crossing Saturday evening with the result that the car was almost totally wrecked. Lewis escaped injury and another man in the car received a slightly bruised nose.

WHEAT PRICES

PORTLAND, Aug. 13.—Hard white wheat \$1.06, western red 97c.

WEATHER PROBABILITIES

The Cyclo-Stormograph at Underwood's Pharmacy registered a rising barometric pressure this morning and continued fair weather is indicated despite threatening skies.

Forecast for next 24 hours: Generally fair; probably warmer.

Conditions favorable for thunderstorms. The Tycoos recording thermometer registered maximum and minimum temperatures today as follows: High 80 Low 64

HAMBURG SHIP YARD STRIKERS DIE IN CLASH

Police and Men in Sanguinary Battle; Communists Attack Soldiers

NEW YORK, Aug. 13.—Germany is on the brink of a revolution, said Senator Smoot, returning today from an European tour.

BERLIN, Aug. 13.—Several strikers were killed and many wounded at the Hamburg ship yards today in a clash with the police. The police attacked the strikers who prevented those willing to work from entering the yards.

LONDON, Aug. 13.—Sanguinary fighting occurred between communists and the militia today in Seltz, according to a Berlin despatch. A large body of communists stormed the town hall, occupied by soldiers, and there was considerable fighting in the streets.

LUEBRICK, Germany, Aug. 13.—Communists are holding this city after forcing the senate to retire. The Reichswehr arrived to attempt to restore order.

AIX LA CHAPELLE, Aug. 13.—Four Germans were killed and 40 wounded when the police today fired on several thousand gathered before police headquarters demanding that the authorities do something to relieve the shortage of potatoes.

FLY CAUSE OF AUTO SMASH-UP

Man Attempting To Brush Insect From Face Drives Sedan Into Ditch

In attempting to brush a dragon fly out of his face, Harry Whitman lost control of the Ford sedan he was driving yesterday, with the result that the car went into a ditch near Klamath Agency, injuring Whitman so that he is in the hospital with three broken ribs and a badly bruised chest. The other occupants of the car, Mrs. Harry Whitman, and Mrs. D. J. Whitman and two little children, one of them a seven months old baby, escaped with bruises and scratches.

The car turned over when it went into the ditch, and the top was knocked nearly off. Whitman said he thought the members of the party all went out through the top. He was pinned under part of the wreckage for five minutes. The body of the car was also badly damaged. Whitman is in the Klamath Valley hospital.

Another car that went into the ditch near Port Klamath yesterday is thought to have skidded in the soft gravel. The car was not wrecked, and the drivers name has not been learned.

C. W. SOUTHWICK DEAD

Charles W. Southwick, 56, father of Percy Southwick, who was about to become superintendent of the Klamath fish hatchery on Crooked creek, died at the hatchery at 2:40 Sunday afternoon from complications following an operation performed some week ago at Eugene, his home. The body will be shipped to Eugene Tuesday.

PRELIMINARY PROCEEDINGS AND ESCORT AT CHURCH



President and Coolidge leaving the First Congregational church at Washington on the first Sunday after his elevation to the presidency. Immediately in back of the president's most intimate Wyle W. Stearns. Most of the other men are members of the service men.

KNIGHT GRANTED HABEAS CORPUS

Writ Issued By Judge Leavitt On Claim of Illegal Detention in Jail

A writ of habeas corpus was issued today by Circuit Judge Leavitt, directing the production in court Wednesday of Louis Knight, who through his attorney, Edward B. Ashurst, alleges in his petition for the writ, that he is detained in the county jail without legal judgment or process, and is held solely upon the illegal request of F. A. Baker, and has been so held for 22 days.

Attached to the petition are two orders signed by Baker, superintendent of the Klamath Indian reservation.

Addressed to Shadley. One addressed to Henry Shadley, Indian policeman and deputy special officer at Chiloquin, reads:

Sir: You are hereby directed to place Louis Knight in jail at Klamath Falls, Oregon until further orders. He will be held there pending his trial before the United States court of Indian offenses of the Klamath Indian reservation.

You will make report to me of the carrying out of this order.

Order No. two is like the first but and military in tone. It is addressed to the sheriff of Klamath county, and reads:

Sir: You will please accept the above federal prisoner and hold him safely until I call for him at the time of his trial. The expense of his custody will be borne by his office.

Upon these orders Knight claims in his petition that he has been restrained of his liberty, and not allowed to appear before any authorized committing magistrate, contrary to law and in disregard of his constitutional rights. He alleges that he has not been informed of the nature of the charge against him; that he has been denied bail, although he offered to furnish it.

COOLIDGE LOGICAL CANDIDATE FOR 1924, DECLARES BORAH

Idaho Senator Calls Upon People Of United States To Give New President Chance

CONCORD, N. H., Aug. 13.—Senator Moses today declared President Coolidge would be a candidate for the republican nomination in 1924 and ought to have a solid New England delegation.

SPOKANE, Aug. 13.—Calling upon the people of the United States to give President Coolidge "a chance to make good," Senator William E. Borah of Idaho declared Coolidge was a logical candidate for the republican nomination for the presidency in 1924.

"Fate and circumstances have made Calvin Coolidge president," Senator Borah said in an interview here. "He takes up a heavy task. There are some very difficult problems needing attention. The agricultural situation is extremely serious. The coal problem, in my opinion, will soon be acute. Transportation also requires consideration. And the foreign situation will bring into view the mad policies now plunging Europe into deeper misery."

"So, President Coolidge has a serious task," Senator Borah continued. "If he makes good, or shows in the next few months that he is making good, he will certainly be re-elected. What the people want is results. If Coolidge gives results, that is all there is to it. I think he is an able man. I want to see him given a chance to make good."

Turbulent political times ahead are foreseen by Senator Borah. "No political party," he said, "can survive the next campaign which does not have a clear, definite, constructive and inspiring program. If there ever was a time when the office seeker, and, in my opinion, will seek the man, it is now. I have never seen so much political explosives lying around to be touched off as right now. The voters do not care two cents for parties or individuals. They want results. Give the man at the helm a chance."

Knight in court Wednesday, and show cause for his detention.

Suit was brought against Baker last week by Knight, asking \$25,000 for alleged unlawful detention.

BLAST DESTROYS TWO TRACTORS

Loss of \$10,000 Is Caused When Dynamite Explodes In Wrong Direction

Two tractors were destroyed, causing a loss of \$10,000, and damage to the same amount was done to a rock crusher belonging to the Hill Construction company beyond Fort Klamath, when a blast of dynamite exploded in the wrong direction Saturday evening.

The blast had been placed in the side of the quarry and instead of going in the usual direction, exploded upward through the rock, sending down an avalanche of heavy stones on the machines, according to A. H. Gage of the company. It will take over a week to repair the crusher, Gage said, but work on the road will not be delayed because of the accident.

The dynamite charge is set off with an electric detonating spark, and Gage said that it was no one's fault that the blast went in the wrong direction. No one was injured.

BRITISH NOTE AROUSES FRENCH

Is Regarded As Disavowal Of War Allies and Espousal of Germany

LONDON, Aug. 13.—The British note to France, in which the government brands the Ruhr occupation illegal, but is willing to submit to arbitration, has made a deep impression here. It is regarded as creating a situation which may have serious developments.

PARIS, Aug. 13.—The British note is regarded in French official circles as a disavowal of Great Britain's war allies and a frank espousal of the German cause.

BOY, 13, HANGS SELF PLAYING AT 'WILD WEST'

Robert Davis Is Victim Of Accident in Staging Hanging Scene

Attempting to stage a scene from a novel of the early west in which hangings played a prominent part, Robert Davis, 13, son of Mr. and Mrs. Claude Davis of Klamath Falls, died by accidental hanging Sunday morning on the Fort Klamath Meadows company ranch near Fort Klamath where he had been staying with his mother during her vacation.

Robert and his younger brother, Rex, early in forenoon had taken horses and gone for a ride. Rex returned home before noon but Robert went to an Indian camp about a half mile from the ranch to ask the return of a book, Zane Grey's "Heritage of the Desert," which had been loaned at the ranch to one of the Indians. The book was a great favorite and he wanted to read it again, he told the Indian when the book was returned.

Absorbed In Book. The Indians were haying, and when they left camp Robert was seated on a wagon seat, absorbed in the book. When the Indian who returned the book came back to camp at 3 o'clock he caught a glimpse of the boy within a small shed nearby, and called, "Well, did you read the book?"

Receiving no answer, the Indian looked within the shed. He saw the body of the boy hanging from a beam.

Running to the ranch, the Indian reported what he had seen to Joe Johnson, a ranch employe, and Mrs. J. E. Bratton, who was a guest of Mrs. Davis. Mrs. Davis was not there at the time. Johnson was first to arrive and was holding the boy's body from the floor of the shed when Mrs. Bratton arrived. Mrs. Bratton reached up to the beam and untied the rope, releasing the body.

Lost Balance

Careful investigation revealed that the boy, probably staging the hanging scene from the book, had fastened one end of the rope to an overhead beam and the other around his neck, wrapping it around three times. He then stood on a sill about 14 inches from the floor. It was believed he lost his balance while standing there, visualizing the scene which had appealed to his boyish fancy, and swung from the sill. As the beam was several feet outward from the sill, the boy swung that distance. His feet were just touching the floor. He had been dead two or three hours, examination showed.

The investigators found that the rope was loosely tied to the beam and the end would have pulled through the knot but for a small knot at the very end of the rope. Robert Davis was born in Grants Pass 13 years ago. His mother, a public accountant and stenographer, and father, who is connected with the Johnstone Furniture company, are grief stricken. Mrs. Davis is secretary for the Fort Klamath Meadows company and was spending her vacation on the Weed ranch. Davis was greeted with the sad news upon his return from Portland Sunday evening.

Was Athletic Youth

Friends of the family say Robert was an athletic youth with the lively imagination of a healthy boy of his age. His chief amusement was to act "wild west" and similar scenes. Playing, swimming and horseback riding with his younger brother, his stay on the ranch had been particularly happy.

Funeral services will be held at Whitlock's chapel at 4 p. m. Tuesday.